

**COLUMBUS BOARD OF ZONING APPEALS
123 WASHINGTON STREET
COLUMBUS, INDIANA**

The Columbus Board of Zoning Appeals met at 6:30 p.m., August 26, 2003 in the Council Chambers, second floor of City Hall, 123 Washington Street, Columbus, Indiana for its monthly meeting.

Members Present: Pat Zeigler; Karen Dugan; Mary Ferdon; Gary Nienaber; Lou Marr, new member; and David Fisher, alternate

Staff Present: Roger Hunt; Planning Director; Brian Thompson, Code Enforcement Officer; Alan Whitted, Deputy City Attorney; Thom Weintraut; Marcus Hurley and Judith Walters

Mr. Zeigler opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Mr. Whitted administered the oath to all people who will offer information for the cases tonight.

DOCKET NO. C/CU-03-07 – CHARLES & ROSE SHAFFER

A request to operate a baked goods business as a home occupation. The property is located at 1652 N 475 E.

Charles and Rose Shaffer gave their names for the record.

Mr. Hurley read the staff report for a 600 sq. ft. commercial kitchen business as a home occupation. The criteria have been met and conditions should be included: an approval would be restricted to the current owner and the applicant should return in one-year for a review of the operation. The staff pictures were presented.

Mr. Shaffer said there will be two kitchens. The one for the business will resemble a work-shop with commercial appliances. He said they don't plan to alter the appearance of the home.

DISCUSSION: space for the kitchen exists in the home for baking goods; delivery to customers; no on-premise sales; no signage; private road access for four properties will be used; traffic; no outside employees.

COLUMBUS BOARD OF ZONING APPEALS
AUGUST 26, 2003 MINUTES
PAGE 2

The meeting was opened for public comment.

Jim Tibbets had some concerns about a business operating in a home; the negative impact on home values and was not in favor of the proposal.

Jim Haler said he is in support of this small business request.

A letter of support from Art Hopkins was read into record.

The public portion of the meeting was closed.

The private road was discussed and Mr. Tibbets said it is a private road and was not intended to be used for commercial purposes.

Ms. Ferdon moved for approval of **C/CU-03-07** inclusive of the provisional findings and conditions as stated.

Mr. Nienaber seconded the motion that passed unanimously.

DOCKET NO. C/DS-03-14 – HANSEN & HORN/SHERRI SPIKER

A request to allow a model home to remain longer than permitted.
The property is located at 1911 St. James Place.

Ms. Zeigler excused herself from hearing this case.

Sherri Spiker, on behalf of Hansen and Horn, gave her name for the record.

Mr. Hurley read the staff report for allowing the continued use of a model home to exceed the time allotted by the ordinance to remain in Phase 1 at Princeton Park Subdivision for Hansen and Horn Developers. The criteria have not been met. The staff photos were presented.

Ms. Spiker said there are approximately 30 lots remaining in this phase and they are asking to stay another 12 months to give the economy a chance to improve. This model is a high demand model.

DISCUSSION: traffic in the area; number of lots available between Phase 1 & 2; model location; streets that access the subdivision

The meeting was opened to the public

COLUMBUS BOARD OF ZONING APPEALS
AUGUST 26, 2003 MINUTES
PAGE 3.

Jeff Hanner said the traffic is hazardous for children and asked that they move to another Phase since the neighbors in this Phase have put up with them long enough and is against the request.

Dave Preston is against the request, noting they were told the model would be moving; they have bright lights that are on all night; parking problems; excessive signs; the negative impact on property values; blocking drives; etc.

Bob Smitherman, developer, said the quality of the model home is important and it isn't practical at this the time to move to another Phase.

The public portion of the meeting was closed.

DISCUSSION: being a good neighbor; signage; maybe move into a construction trailer; economic concerns; should have been prepared to move; safety of children; parking habits of customers

Ms. Marr moved to deny **C/DS-03-14**, accepting the provisional findings, and allowing them 30 days to establish a model home and office in another Phase. She said the rules that have been established for these homes are good ones.

Ms. Dugan asked that proper signage be used with the new model.

Mr. Nienaber seconded the motion, that passed with a 4-0 vote, Ms. Zeigler abstaining.

DOCKET NO. C/DS-03-15 – STEVE POTTER

A request to subdivide a parcel into two lots without an agricultural remainder. The property is located on the south side of County Road 150 S.

Ted Darnell of Crowder and Darmell Surveyors and Steve Potter gave their names for the record.

Mr. Hurley read the staff comments, noting that Mr. Potter is proposing a lot for his parents and one for him to build homes on. He said the applicant has not met all of the criteria. The staff pictures were presented.

Mr. Darnell said Mr. Potter has installed tile to a drainage ditch that can be used by both properties; there won't be much traffic on the recently paved substandard road; the 5-acre piece of property isn't suited for AG purposed; and the Health Department has approved the septic system that is already installed.

COLUMBUS BOARD OF ZONING APPEALS
AUGUST 26, 2003 MINUTES
PAGE 4

DISCUSSION: drainage and legal drain; property zoned Agriculture

The meeting was opened to the public.

Jerry Schnur said Mr. Potter owned hogs and due to the poor drainage, the water flow ruined two-acres of crops. He said he can't believe a septic system was approved and is against the request.

The public portion of the meeting was closed.

DISCUSSION: a single home can be built without this approval; drainage board approval; Health Department approval for more than one septic site; Plan Commission approval needed; no 10-acre parent tract remainder; possible rezoning

Ms. Ferdon moved to deny **C/DS-03-15**, based on the provisional findings, noting the request doesn't fit the AG Zoning, and the problem with drainage are the main issues.

Ms. Dugan seconded the motion. It was approved by a 5-0 vote.

The findings presented to the Board for approval were continued to the next meeting.

The June 24, 2003 and July 22, 2003 minutes were approved.

The meeting was adjourned at 8:20 p.m.

Patricia Zeigler, Chairperson

Karen Dugan, Secretary

jkw